



In the United States Patent and Trademark Office

In re: Patent Application:

Serial No.: 09/938,435

Confirmation No.: 2581

Filing Date: 8/23/01

Inventors: Tae Kyung WON et al.

Title: Process for Controlling Thin Film Uniformity

Examiner: Jackson, M.

Group Art Unit: 1773

Attorney docket: 5336

CERTIFICATE OF MAILING: I certify that this correspondence is being deposited with the U.S. Postal Service, with sufficient postage as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date entered below.

May 4, 2004  
Date

Robert J. Stern

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.56**

Pursuant to 37 CFR 1.56 and 1.98, the undersigned attorney for applicant submits to the U. S. Patent and Trademark Office the Beer et al. PCT application publication listed on the enclosed Form PTO/SB/08. A copy of said document is enclosed. The Examiner is requested to fully consider said document in determining the patentability of the claims in this application.

In the final rejection mailed 9/29/03, the Examiner rejected all pending claims under 35 USC 103 as unpatentable over US patent 6,451,390 to Goto in view of US patent 6,225,601 to Beer. In the response mailed 11/19/03, Applicant correctly asserted that both US patents are disqualified as prior art pursuant to 35 USC 103 (c). However, it appears that the attorney for Applicant who filed the 11/19/03 response did not realize that Applicant filed a PCT application based on the same specification as the Beer patent. The published PCT application is prior art against the present application under 35 USC 102 (b). The published PCT application is listed on the enclosed Form PTO/SB/08, and a copy of the published PCT application is enclosed.

Respectfully submitted,

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PTO/SB/08

Submitted: May 4, 2004

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Complete if Known</i>	
				Application Number	09/938,435
				Filing Date	8/23/01
				First Named Inventor	Tae Kyung WON et al.
				Group Art Unit	1773
Examiner				Jackson, M.	
Sheet	1	of	1	Attorney Docket	5336

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Date of Publication	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Figures Appear	T
		Country Code	Number	Kind Code				
		WO	00/02824	A1	1/2000	Beer et al.		

Examiner Signature		Date Considered	
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